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HIGH COURT OF CHHATTISGARH AT BILASPUR

Misc. Appeal No. 1303 of 2005

CORAM: Hon'ble Shri S.R. Nayak, CJ
& Hon'ble Shri Dilip Raosaheb Deshmukh, J.

Appellant

- : 1. Smt. Himkanta @ Santoshi, Wd/o Pawan Kumar Dewangan, aged about 35 years.
- : 2. Ku. Neetu Dewangan, D/o Late Pawan Kumar Dewangan, aged about 14 yrs.
- : 3. Ganjendra Kumar, S/o late Pawan Kumar, Dewangan, aged about 10 years.
- : 4. Tomesh Kumar, S/o Late Pawan Kumar Dewangan, aged about 10 years.
- : 5. Smt. Kalabai, W/o Hemaram Dewangan, aged about 55 yrs.
- : 6. Hemaram Dewangan, S/o Ram Ratan Dewangan aged about 60 yrs., Appellant no.2 to 4 represented by Mother. Smt Himkanta @ Santoshi Dewangan, All residents of Village - Sindhauri, P.O.- Charaunda, P.S. & Tahsil - Rajim, District - Raipur (C.G.)

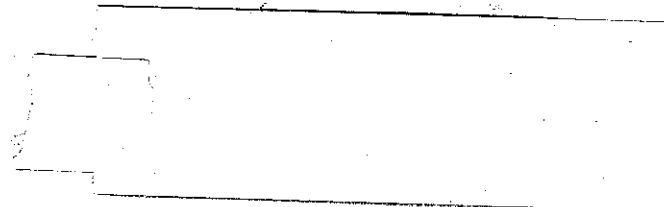
Versus

RESPONDENTS
NON-APPLICANTS

- : 1. Md. Ismail, S/o Md. Suleman, Occupation - Owner of the Jeep, R/o. Maudahapara, behind of Mosque, Dist: Raipur (C.G.)
- : 2. The New India Insurance Co. Ltd., Divisional Office No.1, Raipur, Through Divisional Manager, Divisional Office, Kuttcheri Chowk, Jail Road, Raipur (CG)

Shri S.C. Verma, Counsel for the appellants.

Shri Anand Kr. Gupta, Advocate assisting Shri Sri Kumar Agrawal. Sr.
Advocate for respondent No.2



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ORAL ORDER
(Passed on 10th January 2006)

The following oral order of the Court was passed by
S.R.NAYAK, C.J.

1. While seeking more compensation, the submission of the learned counsel for the appellants is that what is awarded by the Claims Tribunal under conventional heads is on lower side. It was also contended that the Motor Accidents Claims Tribunal (M.A.C.T.) is not justified in not awarding any compensation towards loss of 'estate'. As we repeatedly held and reiterated that even the compensation to be awarded under conventional heads shall reflect the values of time and place and should take into account the steep fall in the money value in recent years.
2. In that view of the matter, we award a sum of Rs.25,000/- to the widow towards loss of consortium and Rs.20,000/- to the minor children towards 'loss of love and affection'. In addition, we award Rs.25,000/- towards loss of 'estate'.
3. The impugned award shall stand modified in the above terms. In all other respects, the impugned award shall stand unaltered. No order as to costs.

Sd/-
CHIEF JUSTICE

Sd/-
**Dilip Raosaheb
Deshmukh
Judge**